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#1603  
PTO/SB/30 (5/2000)  
OMB 0651-0031  
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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.  
See The American Inventors Protection Act of 1999 (AIPA).

|                        |                  |
|------------------------|------------------|
| Application Number     | 09/180,340       |
| Filing Date            | 20 August 1999   |
| First Named Inventor   | Nancy W.Y. Ho    |
| Group Art Unit         | 1653             |
| Examiner Name          | Hope A. Robinson |
| Attorney Docket Number | 290.0033 0101    |

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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_
- iii. ☐ Other \_\_\_\_\_
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Extension of Time

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 13-4895
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) 01/08/2003 AWND AF1 00000158 09180340
- ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) 01 FC:2801 375.00 OP
- iii. ☒ Other additional claims
- b. ☒ Check in the amount of \$ \$375 RCE; \$205 Ext.; \$120 addtl. claims enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

|                     |                          |                                   |                 |
|---------------------|--------------------------|-----------------------------------|-----------------|
| Name (Print I/Type) | David L. Provence        | Registration No. (Attorney/Agent) | 43,022          |
| Signature           | <i>David L. Provence</i> | Date                              | January 6, 2003 |

### CERTIFICATE UNDER 37 CFR §1.10:

"Express Mail" label no.: EV183608616US

Date of Deposit: January 6, 2003

The undersigned hereby certifies that this paper is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR §1.10 on the date indicated and is addressed to the Assistant Commissioner for Patents, Box RCE, Washington, D.C. 20231.

By: Sue Dombroske

Name: Sue Dombroske

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents, Box RCE, Washington, DC 20231.



Docket No. 290.0033 0101

PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Nancy W.Y. Ho et al. ) Group Art Unit: 1653  
Serial No.: 09/180,340 ) Examiner: Hope A. Robinson  
Confirmation No.: 6674 )  
Filed: 20 August 1999 )  
For: STABLE RECOMBINANT YEASTS FOR FERMENTING  
XYLOSE TO ETHANOL

AMENDMENT AND RESPONSE

Assistant Commissioner for Patents  
Box RCE  
Washington D.C. 20231

Dear Sir:

In response to the Office Action mailed 5 August 2002, please amend the above-identified application as follows:

In the Claims

Please, amend claims 14, 18, 25, and 28-30, and add new claims 31-34. The new and amended claims are provided below in clean form. Per 37 C.F.R. §1.121, amended claims are also shown in Appendix A with notations to indicate changes made (for convenience, all pending claims, including those added hereby, are provided in Appendix A).

14. (Amended) A method of integrating multiple copies of exogenous DNA into reiterated chromosomal DNA of cells comprising:

(a) transforming the cells with a replicative and integrative plasmid comprising an autonomous replicating sequence, exogenous DNA, and a first selection marker; and

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03 FC:2202

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36.00 OP